

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ANTHONY E. WILLIAMS,)	
)	
Plaintiff,)	Civil Action No. 14 – 674
)	
v.)	
)	Senior District Judge Maurice B. Cohill
)	Chief Magistrate Judge Lisa Pupo Lenihan
COMMONWEALTH OF)	
PENNSYLVANIA DEPARTMENT)	
OF CORRECTIONS, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

On May 23, 2014, Plaintiff, Anthony E. Williams, commenced this action by submitting for filing a civil rights Complaint along with a Motion for Leave to Proceed *in forma pauperis*. The Court has reviewed the Complaint and finds that venue for this action is improper in this District and instead lies within the Eastern District of Pennsylvania.

When venue is improper in a case such as this, the Court has authority to transfer it “to any other district or division where it might have been brought.” 28 U.S.C. § 1404(a). In determining whether transfer is appropriate, a court should consider factors such as the location of the parties, witnesses and evidence; where the claim arose; the local interest in deciding a case; and public and practical considerations. *See Jumara v. State Farm Ins. Co.*, 55 F.3d 873, 879 (3d Cir. 1995) (stating factors to consider when deciding whether to transfer case). In his Complaint, Plaintiff alleges that he was held in custody past his release date. He has sued a

myriad of defendants, most of who are employed by the Pennsylvania Department of Corrections and work at State Correctional Institutions located within the Western, Middle and Eastern Districts. It appears that Plaintiff's only connection to this district is that he was once incarcerated at SCI-Mercer, a facility located in the Western District.

Plaintiff has also sued a number of Lehigh County officials. Thus, the Court assumes that Plaintiff's conviction and sentence for which he was held in custody was out of Lehigh County. According to the docket, Plaintiff now resides in New Tripoli, Pennsylvania, a city located within Lehigh County. Lehigh County, however, is located within the territorial boundaries of the Eastern District of Pennsylvania

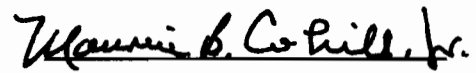
Because Plaintiff's claim is directly related to his conviction and sentence, which presumably occurred because of illegal conduct that occurred in Lehigh County, and discovery, if any, may involve witnesses and document located within that County, and because Plaintiff now resides in Lehigh County, and because the Eastern District likely has a strong interest in deciding this controversy, this Court believes that it would be in the interests of justice and judicial economy to transfer this case to the United States District Court for the Eastern District of Pennsylvania. *See* 28 U.S.C. § 1404(a) ("For convenience of the parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought).

Accordingly, the following Order is hereby entered

AND NOW, this 16th day of June, 2014, it is hereby **ORDERED** that the Clerk of Court transfer the above-captioned case to the United States District Court for the Eastern District of Pennsylvania.

IT IS FURTHER ORDERED that Ruling on Plaintiff's Motion for Leave to Proceed *in forma pauperis* will be deferred to the transferee court.

The Clerk of Court is directed to **CLOSE** this case and **TRANSFER** forthwith.



Maurice B. Cohill
Senior United States District Judge

cc: Anthony E. Williams
577 Rt. 100
New Tripoli, PA 18066
(Via First Class Mail)